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JC13 Rec'd PCT/PTO 19 MAR 2001  
4018 PCT USA - 062635.0133

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Van Saarloos et al.  
Serial No. : 09/762,824  
Filed : February 14, 2001  
For : SURGICAL VISUAL FEEDBACK AND EYE  
FIXATION METHOD

**CLAIM FOR PRIORITY UNDER 35 U.S.C. § 119**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231

March 16, 2001

Date of Deposit

Ronald B. Hildreth

Attorney Name

19,498

PTO Registration No.

March 16, 2001

Date of Signature

Signature

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

A claim for priority is hereby made under the provisions of 35 U.S.C. § 119 for the above-identified PCT application based upon Australian application PP 5284 filed August 14, 1998, and International Application PCT/AU99/00665 filed August 16, 1999.

Respectfully submitted,

Ronald B. Hildreth

Patent Office Reg. No. 19,498

(212) 408-2544

Attorney for Applicant

Baker Botts L.L.P.  
30 Rockefeller Plaza  
New York NY 10112

BAKER BOTTS LLP

Please type a plus sign (+) inside this box → ☒**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/762,824
Filing Date	Feb. 14, 2001
First Named Inventor	Van Saarloos et al.
Group Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	A34018-PCT-USA062635.0133

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

**RECEIVED**

27 JAN 2002 S.B.

Loyola University  
International Division**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	Att Name: Richard G. Berkley PTO Reg: 25,465
Signature		
Date	November 12, 2002	

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: November 12, 2002

Typed or printed name	Richard G. Berkley	Date	November 12, 2002
Signature			

**BAKER BOTTS LLP**

# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.***TOTAL AMOUNT OF PAYMENT****(\$ 720)****Complete if Known**

Application Number	09/762,824
Filing Date	Feb. 14, 2001
First Named Inventor	Van Saarloos et al.
Examiner Name	To be Assigned
Group Art Unit	To be Assigned
Attorney Docket No.	A34018-PCT-USA062635.0133

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**  
Deposit Account Name **Baker Botts LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

**SUBTOTAL (1) (\$ 0)****2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims 20 ** = 0	X		0
Independent Claims 3 ** = 0	X		0
Multiple Dependent			

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$ 0)***\*\*or number previously paid, if greater; For Reissues, see above***FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	720
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) **Renewed Petition**

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 720)****SUBMITTED BY**

Name (Print/Type) **Richard G. Berkley**  
Signature *Richard G. Berkley*

Registration No. **25,465**  
(Attorney/Agent)

**Complete (if applicable)**

Telephone **(212) 408-2554**

Date **November 12, 2002**

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/762824	VAN SAARLOOS	P A34018PCT US
INTERNATIONAL APPLICATION NO.		
PCT/AU99/00665		
I.A. FILING DATE	PRIORITY DATE	
16 AUG 99	14 AUG 98	
DATE MAILED: 14 MAR 2001		

BAKER BOTTS  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112 4498

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☐ a non-English language.
    - ☒ English.
  - ☐ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☒ Preliminary amendment(s) filed 14 FEB 2001 and \_\_\_\_\_.
  - ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_.
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document.
  - ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
  - ☒ Other: RO 101; IPEA 401; IB 306
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Francine Young

Telephone: 703-305-3662